

IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

FILED
U.S. DISTRICT COURT
SAVANNAH DIV.

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| DONALD UBELE, |) | CLERK |
| |) | SO. DIST. OF GA. |
| Petitioner, |) | |
| |) | |
| v. |) | CASE NO. CV412-136 |
| |) | |
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Respondent. |) | |
| |) | |

O R D E R

Before the Court is the Magistrate Judge's Report and Recommendation, to which no objections have been filed.

(Doc. 5.) After a careful de novo review of the record, the report and recommendation is **ADOPTED** as the Court's opinion in this case, and the 28 U.S.C. § 2255 Petition is **DISMISSED**. As noted in the report and recommendation, the Court declines to grant Petitioner a Certificate of Appealability, rendering moot any request for leave to appeal in forma pauperis. The Clerk of Court is **DIRECTED** to close this case.

SO ORDERED this 17th day of August 2012.


WILLIAM T. MOORE, JR.
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA